

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: HEALTH SERVICES

DATE: NOVEMBER 25, 2009

COMMITTEE MEMBERS PRESENT:

SUPERVISORS SOKOL
THOMAS
CHAMPAGNE
O'CONNOR
STRAINER
PITKIN

COMMITTEE MEMBER ABSENT:

SUPERVISOR SHEEHAN

OTHERS PRESENT:

REPRESENTING THE DEPARTMENT OF PUBLIC HEALTH:

PAT AUER, DIRECTOR
SHARON SCHALDONE, ASSISTANT DIRECTOR
GINELLE JONES, ASSISTANT DIRECTOR OF PUBLIC HEALTH
TAMMIE DeLORENZO, CLINICAL & FISCAL INFORMATICS
COORDINATOR
TAWN DRISCOLL, FISCAL MANAGER

REPRESENTING WESTMOUNT HEALTH FACILITY:

BARBARA TAGGART, ADMINISTRATOR
BETSY HENKEL, COMPTROLLER

REPRESENTING COUNTRYSIDE ADULT HOME:

BRENDA HAYES, DIRECTOR
FREDERICK MONROE, CHAIRMAN
PATRICIA NENNINGER, SECOND ASSISTANT COUNTY ATTORNEY
JOAN SADY, CLERK OF THE BOARD
KEVIN GERAGHTY, BUDGET OFFICER

SUPERVISORS GIRARD
KENNY
MERLINO
TAYLOR
TESSIER

TODD LUNT, DIRECTOR OF HUMAN RESOURCES

DON LEHMAN, *THE POST STAR*

THOM RANDALL, *THE ADIRONDACK JOURNAL*

CHARLENE DiRESTA, SR. LEGISLATIVE OFFICE SPECIALIST

Mr. Sokol called the meeting of the Health Services Committee to order at 9:30 a.m.

Motion was made by Mr. Pitkin, seconded by Mr. Thomas and carried unanimously to approve the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Brenda Hayes, Director of Countryside Adult Home, who distributed copies of the agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Ms. Hayes requested authorization to increase the Resident Personal Allowance cash from \$600 to \$2,000. She advised that at the current level they needed to replenish the funds twice a month and with the holiday season approaching, the residents would be requesting additional funds. She added that they were required to refund a resident's Personal Allowance cash within three days of discharge, which could be a problem if it remained at \$600. Mr. Pitkin asked if the funds were the property of the residents and Ms. Hayes replied affirmatively. Mr. Strainer

questioned if the funds were kept in a secured place and Ms. Hayes responded that the funds were kept in a safe that only two employees had access to.

Motion was made by Mr. Pitkin, seconded by Mr. Thomas and carried unanimously to increase the Resident Personal Allowance cash from \$600 to \$2,000. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the December 18, 2009 Board meeting.*

Ms. Hayes requested a transfer of funds in the amount of \$12,759 from the Salaries - Part-Time Code (A.6030.130) with \$9,000 transferred to the Salaries - Overtime Code (A.6030.120) and \$3,759 transferred to the Salaries - Regular Code (A.6030.110). She explained that although she had budgeted for part-time employees, they were paid out of the Overtime and Regular salary codes. Mr. Pitkin asked if the issue would be corrected in the 2010 Budget and Ms. Hayes replied in the negative and added that the issue was not with the Budget, it was with the Treasurer's Office paying the employees from the wrong code. Mr. Champagne suggested that the part-time employees and the hours they worked should be clearly defined for the Treasurer's Office. Ms. Hayes responded that she had indicated which employees were part-time on a list that was forwarded to the Treasurer's Office. Joan Sady, Clerk of the Board, said that she would resolve the issue with the Treasurer's Office.

Following a brief discussion, motion was made by Mr. Pitkin, seconded by Mr. Champagne and carried by majority vote, with Mr. Thomas voting in opposition, to approve the transfer of funds as outlined above and to forward same to the Finance Committee. Mr. Thomas explained that he had voted in opposition because the Treasurer's Office should be paying the salaries from the correct codes.

Ms. Hayes stated that she had included a handout pertaining to laundry expenses in the agenda packet. She explained that the cost of laundry would increase from \$5,000 plus \$13,000 for a part-time employee in 2009 to \$22,600 plus \$13,000 for a part-time employee in 2010. Betsy Henkel, Comptroller for Westmount Health Facility, explained that the costs had been derived based on the total cost for 2008 divided by the price per pound of laundry. She added that they had previously calculated the cost by price per load and had been advised by McCarthy & Colon, LLP that it should be calculated per pound. Mr. Champagne questioned what the cost of completing the laundry at Countryside Adult Home would be and Ms. Hayes responded that it would be a one-time cost of approximately \$18,000 to purchase the washer and dryer. Ms. Hayes stated that there had been some question as to whether the septic system was sufficient to handle the addition of laundry service. Mr. Champagne noted that the septic system had been installed at a time when laundry was completed at Countryside Adult Home and should be sufficient. Mr. Pitkin reminded the Committee that they had requested that the septic system be evaluated and Ms. Hayes replied that she had not had a chance to do so. It was the consensus of the Committee that the septic system at Countryside Adult Home be evaluated to determine if it was sufficient to handle the laundry service in-house.

Ms. Hayes reported that the Facility was operating smoothly following the abolishment of positions in July. She said that the activities for the residents were going well. She advised that some of the more costly activities were replaced with less expensive activities.

Ms. Hayes noted that at the beginning of the year, one of the Departmental goals had been

to reduce expenses by 3%. She added that although she was unable to achieve 3%, she had decreased expenses by 2% as compared to 2008.

Ms. Hayes exited the meeting at 9:45 a.m.

Privilege of the floor was extended to Barbara Taggart, Administrator of Westmount Health Facility, who distributed copies of the agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Ms. Taggart reported that the New York State Department of Health (NYS DOH) had conducted their annual survey of Westmount Health Facility on Wednesday, November 18, 2009. She added that the representatives from the NYS DOH had been pleased with the positive changes in the Facility and the final report would be available within the next two weeks. She advised that the Facility had received some citations for minor violations. Mr. Pitkin questioned what the citations had been for and Ms. Taggart replied that there had been a communications issue on one of the nursing units, there was an issue with the storage of oxygen and there were some nicks on the doors and scrapes on the walls.

Ms. Taggart stated that she had met with Sandy Biggi, from NYAHS (New York Association of Homes & Services for the Aging) on Tuesday, November 17, 2009. She said that they had met to discuss job descriptions and the Facility's Organizational Chart. She added that the meeting had gone well and they would continue to work together to finalize the issues in the next couple of weeks.

Ms. Taggart requested the adoption and electronic certification of a Corporate Compliance Program for Westmount Health Facility. She added that the Program dealt with resident's rights, confidentiality and education and training. Ms. Henkel noted that the Program was already in place and had been instituted by the Facility; however, she added, the Program was now a requirement by the NYS DOH. Patricia Nenninger, Second Assistant County Attorney, explained that Westmount Health Facility had a Compliance Program in place for several years and due to recent NYS DOH regulations, Westmount Health Facility and the Public Health Department had updated their Compliance Policies and would present the Program to the Committee in January.

Mr. Geraghty and Todd Lunt, Director of Human Resources, entered the meeting at 9:49 a.m.

Following a brief discussion, motion was made by Mr. Champagne, seconded by Mr. Strainer and carried unanimously to adopt and electronically certify the Corporate Compliance Program for Westmount Health Facility. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the December 18, 2009 Board meeting.*

Ms. Taggart requested to reject the lowest bidder due to compelling reasons and award the contract to McCarthy & Colon, LLP for auditing services at Westmount Health Facility. She reviewed the list of compelling reasons which was included in the agenda packet. She advised that Mr. Champagne had asked at the last meeting about the experience level of the lowest bidder as it pertained to cogeneration. She added that she had contacted Mr. Toski, of Toski, Schaefer & Co. and was informed that a principal in the Company, who was a former Chief Financial Officer of a large non-profit nursing home, had investigated the feasibility of

developing a cogeneration plant in 2002 or 2003. She added that Mr. Toski had also pointed out experience in nursing home rate appeals, cost report preparation and reimbursement services, as well as development of Certificates of Need. She stated that Ms. Henkel had received a positive recommendation from the Comptroller of the Fulton County Nursing Home. She said that she felt it would be best to have McCarthy & Conlon, LLP continue auditing services for Westmount Health Facility. Ms. Henkel advised that it would take time to familiarize a new auditor with all the aspects of Westmount Health Facility and the cogeneration plant. Mr. Champagne asked if familiarity was a sufficient reason to reject the lowest bidder. Mrs. Nenninger responded that it was the decision of the Committee whether the reasons were sufficient. Mr. Strainer asked how long McCarthy & Conlon, LLP had provided auditing services for Westmount Health Facility and Ms. Henkel replied three years.

Motion was made by Mr. Champagne and seconded by Mr. Strainer to reject the lowest bidder due to compelling reasons and award the contract to McCarthy & Colon, LLP for auditing services at Westmount Health Facility.

Mr. Pitkin asked if McCarthy & Conlon, LLP would be responsible for assisting with Medicaid reimbursement and Ms. Henkel replied affirmatively. Chairman Monroe voiced his concern that if they accepted the bid from McCarthy & Conlon, LLP, it would give the impression that it would not be necessary for the firm to be the lowest bidder next time. Ms. Henkel noted that they could accept the contract for one year and issue a Request for Proposal (RFP) the following year. Mr. Thomas said that he was in favor of accepting the contract for one year. Mrs. Nenninger stated that she would need to review the RFP to determine how it was written. She added that typically the RFP's were written requesting a one year quote with the option to renew up to three years. She advised that she would review the RFP and follow up with Mr. Sokol. Ms. Henkel reported that Mr. McCarthy had offered to lower the cost to \$14,000 for the first year.

Mr. Sokol called the question and the motion was carried unanimously to reject the lowest bidder due to compelling reasons and award the contract to McCarthy & Colon, LLP for auditing services at Westmount Health Facility, commencing January 1, 2010 and terminating December 31, 2010 for a total amount not to exceed \$14,000, pending the approval of the County Attorney's Office. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the December 31, 2009 Board meeting.*

Ms. Taggart requested a transfer of funds for various accounts totaling \$77,882 in order to purchase supplies, cover the cost of various dues, services and advertising and to balance the budget for the end of the year.

Motion was made by Mr. Pitkin, seconded by Mr. Strainer and carried unanimously to approve the request for the transfer of funds as outlined above and to forward same to the Finance Committee. *Copies of the resolution request forms are on file with the minutes.*

Ms. Taggart requested a contract with Ruffo, Tabora, Mainello & McKay, PC to draft a policy relating to the Fair Credit Reporting Act for a lump sum fee of \$500. She explained that the policy would relate to identity theft and was mandatory. She said they were required to have written policies and procedures identifying identity theft prevention. Mr. Champagne asked why the policy could not be completed in-house and Mrs. Nenninger responded that typically for

these types of policies at Westmount Health Facility, they had outside legal counsel assist in preparation due to specific requirements for the nursing home industry.

Motion was made by Mr. Pitkin, seconded by Mr. Strainer and carried unanimously to authorize a contract with Ruffo, Tabora, Mainello & McKay, PC, as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the December 18, 2009 Board meeting.*

Ms. Taggart noted that reports on staffing levels and overtime usage were included in the agenda packet. She said there were several vacant positions that they were attempting to fill. She advised that Patricia Murphy, the interim Director of Nursing, was working out well and had contributed to the survey process. Mr. Pitkin noted that there was no Registered Nurses (RN) for the 11:00 p.m. to 7:00 a.m. shift. Ms. Taggart responded that the Committee had approved an RN-On-Call and a Licensed Practical Nurse (LPN) Supervisor at the last meeting but those positions had not been filled. She added that for now the position was being filled using current nursing staff. Mrs. Nenninger clarified that the proposal for RN-On-Call and LPN Supervisor was only for when there was no RN on duty due to an inability to fill the position and would not be a permanent solution. Referring to the overtime usage report, Ms. Taggart noted that it included one holiday and added that a comparison of 2008 versus 2009 overtime usage for the same time period was also included in the agenda packet.

Ms. Taggart requested authorization for Regina Muscatello, Registered Nurse, to attend the AANAC Nurse Executive Certification Program sponsored by NYAHS (New York Association of Homes & Services for the Aging) at the Genesee County Nursing Home in Batavia, New York on December 1-3, 2009.

Motion was made by Mr. Thomas, seconded by Mr. Strainer and carried unanimously to authorize Ms. Muscatello to attend the Program as outlined above. *A copy of the Authorization to Attend Meeting or Convention form is on file with the minutes.*

Ms. Taggart reported that the Westmount Health Facility Holiday Party would be held on December 16, 2009 from 6:00 p.m. to 8:00 p.m. She said the party would be for staff and residents and she invited the Committee members to attend. She noted that the party would include dinner and there would be a band for entertainment.

Ms. Taggart requested an executive session to discuss the employment history of two employees.

Motion was made by Mr. Pitkin, seconded by Mr. Thomas and carried unanimously that executive session be declared pursuant to Section 105 (f) of the Public Officers Law.

Executive session was declared from 10:17 a.m. to 10:40 a.m.

Messrs. Girard and Kenny entered the meeting during the executive session.

The Committee reconvened and Mr. Sokol noted that no action was necessary pursuant to the executive session.

This concluded the Westmount Health Facility portion of the meeting and Ms. Taggart and Ms. Henkel exited the meeting and the representatives from the Department of Public Health entered the meeting at 10:41 a.m

Privilege of the floor was extended to Pat Auer, Director of Public Health, who distributed copies of the agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Ms. Auer informed the Committee that they were out of the seasonal flu shot and were expecting another shipment at the end of November. She added that they would hold additional seasonal flu clinics in December. She noted that the team of nurses was doing an excellent job with the H1N1 flu clinics and they were holding clinics as the vaccine continued to arrive.

Ms. Auer said that a report on monthly preparedness activities had been included in the agenda packet. She added that they had received the shipment of face masks and procedures were in place to distribute them.

Ms. Auer updated the Committee on the Preschool contract issue, by saying that there was another issue for which she was still in the process of gathering information.

Ms. Auer requested authorization for individuals to serve in the Public Health Clinics, commencing January 1, 2010 and terminating December 31, 2010 or upon thirty days written notice by either party. She advised that this was for the sexually transmitted disease clinics and added that they were discontinuing the Queensbury Well Baby Clinics for 2010, as it was not cost effective.

Motion was made by Mr. Pitkin, seconded by Mr. Thomas and carried unanimously to authorize individuals to serve in the Public Health Clinics as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the December 18, 2009 Board meeting.*

Messrs. Merlino and Tessier entered the meeting at 10:48 a.m.

Ms. Auer requested to appoint and reappoint members of the Local Early Intervention Coordinating Council for the education in the Physically Handicapped Children's Program, commencing January 1, 2010 and terminating December 31, 2010.

Motion was made by Mr. Champagne, seconded by Mr. Pitkin and carried unanimously to appoint and reappoint members of the Local Early Intervention Coordinating Council, as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the December 18, 2009 Board meeting.*

Ms. Auer requested to appoint and reappoint members of the Professional Advisory Committee, commencing January 1, 2010 and terminating December 31, 2010.

Motion was made by Mr. Champagne, seconded by Mr. Strainer and carried unanimously to appoint and reappoint members of the Professional Advisory Committee, as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution*

was authorized for the December 18, 2009 Board meeting.

Ms. Auer said the next item on the agenda was to update the Committee on the Point of Care Initiative. Tammie DeLorenzo, Clinical & Fiscal Informatics Coordinator, advised that all staff and disciplines were in place on the Point of Care devices. She added that there were a few updates that would need to be put in place prior to the end of the year and there are two significant updates that will be available in 2010. She stated that they had been informed that the software would be capable of providing benchmarking data, which would eliminate the need for a contract with an outside vendor. She advised that they were continuing to work on interoperability with Glens Falls Hospital. Mr. Champagne questioned the cost associated with an outside vendor for benchmarking data and Ms. DeLorenzo estimated the cost at approximately \$15,000 per year.

Brief discussion ensued.

Ms. Auer requested authorization for Ms. DeLorenzo to attend the Managed Care Symposium on December 14, 2009 at the Desmond Hotel in Albany, New York, at a cost of \$199.

Motion was made by Mr. Champagne, seconded by Mr. Pitkin and carried unanimously to authorize Ms. DeLorenzo to attend the Managed Care Symposium, as outlined above. *A copy of the Authorization to Attend Meeting or Convention form is on file with the minutes.*

Ms. Auer requested authorization to renew the contractual agreement with Greater Adirondack Home Health Aides, Inc. to provide paraprofessional care services for the Certified Home Health Agency (CHHA) and Long-Term Home Health Care (LTHHC) Programs, commencing January 1, 2010 and terminating December 31, 2010. She noted that there was no increase in the cost of the contract.

Motion was made by Mr. Strainer, seconded by Mr. Pitkin and carried unanimously to renew the contractual agreement with Greater Adirondack Home Health Aides, Inc., as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the December 18, 2009 Board meeting.*

Ms. Auer requested authorization for out-of-state travel for Kathleen Meath, Public Health Nurse, to attend the 2010 National Immunization Conference in Atlanta, Georgia on April 18-22, 2010.

Motion was made by Mr. Pitkin, seconded by Mr. Thomas and carried unanimously to authorize out-of-state travel, as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the December 18, 2009 Board meeting.*

Ms. Auer requested authorization to electronically sign the Compliance Certification and Deficit Reduction Act certification form. She advised that this was a requirement by the Office of the Medicaid Inspector General, which was due by December 31, 2009 and would need to be signed annually.

Motion was made by Mr. Pitkin, seconded by Mr. Strainer and carried unanimously to authorize

the Director of Public Health to electronically sign the Compliance Certification and Deficit Reduction Act certification form. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the December 18, 2009 Board meeting.*

Ms. Auer requested a contractual agreement with Hamilton County Public Health Nursing Service to allow payment for Hamilton County residents who access services at Warren County's Sexually Transmitted Disease Clinic, commencing January 1, 2010 and terminating with thirty days written notice by either party.

Motion was made by Mr. Champagne, seconded by Mr. Thomas and carried unanimously to authorize a contractual agreement with Hamilton County Public Health Nursing Service, as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the December 18, 2009 Board meeting.*

Tawn Driscoll, Fiscal Manager for the Public Health Department, stated that there was a report on revenues and expenditures included in the agenda packet. She advised that a salary comparison for 2008 versus 2009 was also included and added that the amount of salaries had decreased. She said that the overall savings in the budget from salaries would be approximately \$400,000.

Discussion ensued.

Ms. Driscoll requested a transfer of funds from various codes totaling \$127,906 in order to balance the budget for the end of the year.

Motion was made by Mr. Champagne, seconded by Mr. Pitkin and carried unanimously to approve the request for the transfer of funds as outlined above and to forward same to the Finance Committee. *A copy of the resolution request form is on file with the minutes.*

As there was no further business to come before the Health Services Committee, on motion made by Mr. Strainer and seconded by Mr. Pitkin, Mr. Sokol adjourned the meeting at 11:08 a.m.

Respectfully submitted,
Charlene DiResta, Sr. Legislative Office Specialist